

House Bill 1186 (AS PASSED HOUSE AND SENATE)

By: Representatives Roberts of the 154th, Burns of the 157th, Dollar of the 45th, and O'Neal of the 146th

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to provide for an ad valorem tax exemption for certain public-private transportation projects; to provide that certain public-private transportation projects shall not constitute special franchises; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, is amended in Code Section 48-5-41, relating to property exempt from ad valorem taxation, by adding a new subparagraph in paragraph (1) of subsection (a) as follows:

"(E) Property which qualifies as a public-private transportation project pursuant to Code Section 32-2-80 which property is owned or leased by the state, a state agency, or another governmental entity and which is developed, operated, or held by a private partner shall be considered to be public property within the meaning of this paragraph."

SECTION 2.

Said chapter is further amended by adding a new Code section to read as follows:

"48-5-421.1.

Any property which is exempt from ad valorem taxation pursuant to subparagraph (a)(1)(E) of Code Section 48-5-41 shall not constitute a special franchise for purposes of this article and shall not be subject to the provisions of this article."

SECTION 3.

This Act shall become effective on January 1, 2011.

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SECTION 4.

25 All laws and parts of laws in conflict with this Act are repealed.